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Duffy Report Says Deputies Did Not Beat Jail Inmates

By GREG JOHNSON, Times Staff Writer

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Ten sheriff's deputies used "deliberate and cruel harassment . . . to establish control and to show the inmates who's running" the County Jail in El Cajon, but the so-called "Rambo squads" did not beat prisoners, according to a report released Tuesday by Sheriff John Duffy.

Duffy declined to identify the deputies in the report, released to the San Diego County Grand Jury. A Sheriff's Department spokeswoman said that "more than one" deputy has been fired at the El Cajon jail.

The other deputies, including some supervisors, face disciplinary actions ranging from termination to one-week suspensions in connection with "inexcusable, unprofessional and embarrassing" conduct at the jail during 1987 and 1988.

At Odds With Jury Report

Critics described Duffy's report as being at odds with a harsh, March 21 grand jury report that described the seemingly routine use of undue physical force by certain deputies working the midnight-to-8 a.m. shift at the overcrowded El Cajon complex. In contrast, Duffy said his "comprehensive" investigation uncovered no evidence of "excessive use of physical force."

Duffy's report was "an attempt to minimize the significance of the abuses that the grand jury found," American Civil Liberties Union Legal Director Betty Wheeler said Tuesday. "The sheriff says pretty clearly that there's no evidence of physical abuse, which flies in the face of the grand jury's findings."

Michael Crowley, an attorney who represents former inmate Jim Butler, who alleges he was beaten in 1985, said: "Once again, Sheriff Duffy has read the black and white of the grand jury report with his own particular rose-colored glasses and blinders. The grand jury definitely documented excessive force and beatings in the jail.

'Excessive Force and Beatings'

"It was clear, and it continues to be documented, that there is excessive force and beatings in the jail," said **Crowley**, who called for Duffy to release the names of the deputy or deputies who have been fired.

"There's no question that (Butler) was beaten up," **Crowley** said. "There is eyewitness testimony, and the pictures don't lie."

Butler's case is scheduled to go to trial in November in Superior Court.

Wheeler questioned Duffy's decision to focus his department's internal investigation solely on the El Cajon site when the grand jury found evidence of a countywide problem. She was also "concerned that the sheriff believes that grand jury report did not uncover any evidence of excessive use of physical force."

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Wheeler on Tuesday repeated an earlier demand for an independent body to review treatment of inmates in the county jails.

"Ultimately, the only thing that can give the public needed assurances is to have an independent mechanism for compliance and review," she said. "Until we see that, it's going to be difficult to have real high confidence in the county jails."